

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

PACIRA PHARMACEUTICALS,  
INC., et al.,

Plaintiffs,

v.

eVENUS PHARMACEUTICALS  
LABORATORIES, INC., et al.,

Defendant.

Civil Action No.

21-cv-19829 (MCA) (JRA)

**ORDER CONCERNING THE  
PARTIES' E-DISCOVERY  
DISPUTE**

**THIS MATTER** having come before the Court by way of the parties' joint letter dated January 31, 2023, raising a dispute about the appropriate limit on the number of custodians from whom email discovery may be sought (ECF No. 127), and the Court having held a hearing with the parties on the record on February 7, 2023; and for the reasons stated on the record;

**IT IS** on this 8th day of February 2023, **ORDERED** that:

1. The Court will not set a limit on the number of custodians from whom the parties may seek email discovery at this time.
2. If a party seeks discovery from a custodian who is not relevant or, if obtaining discovery from the custodian would be burdensome or disproportionate to the needs of the case or otherwise contravenes Rule 26 of the Federal Rules of Civil Procedure, the parties may file a joint letter consistent with the Court's [Case Management Order](#) outlining the dispute and the requested relief.

3. The parties shall appear for a telephonic status conference before the undersigned on **May 8, 2023, at 2:00 p.m.** No later than May 1, 2023, the parties shall file a joint letter not to exceed five (5) pages summarizing the status of the case and any other issues that need to be addressed by the Court. The dial-in information for the conference is (888) 684-8852, access code 1364268#.

A handwritten signature in black ink, appearing to read "José R. Almonte", is positioned above a horizontal line.

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HON. JOSÉ R. ALMONTE  
UNITED STATES MAGISTRATE JUDGE